



\$ RCE 754 JMW

PTO/SB/30 (08-09)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/778,259
Filing Date	February 7, 2001
First Named Inventor	C. Guillermo dos Remedios, et al.
Art Unit	1641
Examiner Name	Changhwa J. Cheu
Attorney Docket Number	13388

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1.  **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii.  Other \_\_\_\_\_
- b.  Enclosed
- i.  Amendment/Reply
- ii.  Affidavit(s)/Declaration(s)
- iii.  Information Disclosure Statement (IDS)
- iv.  Other **Exhibit 1 and Amendment Transmittal (in dup)**

2.  **Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b.  Other \_\_\_\_\_

3.  **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **19-1013/SSMP**
- i.  RCE fee required under 37 CFR 1.17(e) **04/29/2005 SHASSEN1 00000056 09778259**
- ii.  Extension of time fee (37 CFR 1.136 and 1.17) **01 FC:2801** **395.00 OP**
- iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ **395.00 (RCE)** enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Xiaochun Zhu	Registration No. (Attorney / Agent)	56,311
Signature		Date	April 25, 2005

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Xiaochun Zhu	Date	April 25, 2005
Signature		Date	April 25, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Christobal Guillermo dos Remedios, et al. **Examiner:** Changhwa J. Cheu

**Serial No:** 09/778,259

**Art Unit:** 1641

**Filed:** February 7, 2001

**Docket:** 13388

**For:** BIOMOLECULAR TOXICITY  
ASSAY

**Dated:** April 25, 2005

**Confirmation No.:** 4496

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 C.F.R. § 1.114**

Sir:

In response to the Final Action dated January 24, 2005, and in accordance with the provisions of 37 C.F.R. §1.114, Applicants respectfully submit the following amendment for entry in the above-identified case.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on April 25, 2005.

Dated: April 25, 2005

  
Xiaochun Zhu

<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>	Docket No. <b>13388</b>
Applicant(s): <b>Christobal Guillermo dos Remedios, et al.</b>	

Application No. <b>09/778,259</b>	Filing Date <b>February 7, 2001</b>	Examiner <b>Changhwa J. Cheu</b>	Customer No. <b>23389</b>	Group Art Unit <b>1641</b>	Confirmation No. <b>4496</b>
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Invention: **BIOMOLECULAR TOXICITY ASSAY**



COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

Applicant claims small entity status. See 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	25 -	33 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	3 -	4 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>

- No additional fee is required for amendment.
  - Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
  - A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
  - The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-1013/SSMP**
    - Any additional filing fees required under 37 C.F.R. 1.16.
    - Any patent application processing fees under 37 CFR 1.17.
  - Payment by credit card. Form PTO-2038 is attached.
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\_\_\_\_\_  
*Signature*

Dated: **April 25, 2005**

**Xiaochun Zhu**  
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**(516) 742-4343**

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <b>April 25, 2005</b> _____ (Date)
<i>Signature of Person Mailing Correspondence</i> <b>Xiaochun Zhu</b>
<i>Typed or Printed Name of Person Mailing Correspondence</i>

cc: XZ:ab